

TEXAS GROUNDWATER PROTECTION COMMITTEE
RECORD OF MEETING
First Quarterly Meeting, Fiscal Year 2005

Meeting Date: October 21, 2004
Meeting No.: 62

Place: TCEQ Campus, Building F
Room: 2210

TABLE OF CONTENTS

MEETING ATTENDANCE	2
MEETING HANDOUTS	3
MEETING RECORD OF October 21, 2004	4
I. Call to Order and Introductions	4
II. Subcommittee Reports -	4
Agricultural Chemicals	4
Data Management	4
Public Education and Outreach	5
Groundwater Research	5
Nonpoint Source Task Force	5
III. Business - Discussion & Possible Action	7
TGPC Report to the 79 th Legislature, 2005	7
-Discussion of Report Text	7
- Discussion and Approval of Legislative Recommendations	7
Texas Groundwater Protection Strategy - Discuss Strategy	
Implementation Issues	8
Set Future Meeting Dates	8
IV. Information Exchange for Groundwater Related Activities/Status Update	8
Status - Water Quality Inventory (“305(b)”) Report - 2004	8
Status - State NPS Management Plan Development	8
Regional Water Planning Update - Texas Water Development Board ...	9
Groundwater Availability Modeling Update - Texas Water	
Development Board	9
Status - Joint Groundwater Monitoring and Contamination	
Report - 2003	9
V. Announcements (All Members)	9
Rules Update	10
New Publications	10
Upcoming Conferences	10
VI. Public Comment	10
VII. Adjourn	10

MEETING ATTENDANCE

TGPC Members

Mary Ambrose	TCEQ
Janie Hopkins	TWDB
Leslie Savage (1;38)	RCT
Ambrose Charles	TDA
Lee Parham	TDLR
Allan Jones	TAES
Kevin Wagner	TSSWCB
Barry Miller	TAGD
Ken Ofunrein	DSHS
Bridget Scanlon	BEG

Agency Staff

<u>Agency Staff</u>	<u>Affiliation</u>	<u>Program</u>
Cary Betz	TCEQ	Technical Analysis Division
Leon Byrd	TCEQ	Technical Analysis Division
Alan Cherepon	TCEQ	Technical Analysis Division
Matt Court	TCEQ	Water Supply Division
Jennifer Delk	TCEQ	Policy & Regulations
Frank Fuller	TCEQ	Policy & Regulations
Linda Haynie	TCEQ	Policy & Regulations
Michael Hare	TDA	
Isaac Jackson	TCEQ	Intergovernmental Relations
Claren Kotrla	DSHS	
Bruce Lesikar	TCE	
Joaquin Montes	TCEQ	Water Supply Division
Steve Musick	TCEQ	Technical Analysis Division
Sally Paramo	TCEQ	Water Supply Division
Joe Peters	TCEQ	Technical Analysis Division
John Williams	TCEQ	Environmental Law Division

Interested Parties

<u>Interested Parties</u>	<u>Affiliation</u>
Ann Ardis	USGS
Mary Etter	LCRA
Lynne Fahlquist	USGS
Donna Long	DLS Technologies
Jim O'Connor	SAWS

MEETING HANDOUTS

1. Agenda
2. TGPC Record of Meeting, Fourth Quarter, FY2004
3. Agricultural Chemicals Subcommittee Report
4. Report to the 78th Legislature - Activities of the Texas Groundwater Protection Committee - Table of Contents
5. Draft: October 5, 2004-Recommendations to the 79th Legislature
6. Redline/Strikeout Copy-Recommendations to the 79th Legislature
7. Draft: October 21, 2004-Recommendations to the 79th Legislature
8. TGPC Rule Log Update on October 21, 2004

MEETING RECORD OF October 21, 2004

I. Call to Order and Introductions

Mary Ambrose, Designated Chairman of the Texas Groundwater Protection Committee (TGPC), called the FY2005, First Quarterly Meeting to order at 1:30 P.M., CDT.

II. Subcommittee Reports

Agricultural Chemicals - Steve Musick, TCEQ, Chair. The Agricultural Chemicals Subcommittee held its FY 2005 first quarter meeting on October 21, 2004 at 10:30 a.m.

The Agricultural Chemicals Subcommittee held its FY 2005 first quarter meeting on October 21, 2004 at 10:12 a.m.

The members were updated on Task Force (TF) activities:

Site Selection - The TF Chairman (TWDB) reported that some TWDB sampling was continuing in September and October 2004, but with fewer irrigation wells in operation in the fall, fewer samples would be obtained. Planning is underway for TWDB 2005 sampling with the Gulf Coast aquifer being the primary target.

Education - The TF Chairman (TCE) reported two well water screening field days and the Atrazine BMP Outreach Project development of educational materials.

Under the Subcommittee's Business items:

The Subcommittee heard a presentation on the results of FY 2004 groundwater pesticide monitoring efforts. Over 450 samples were collected by TWDB and groundwater conservation districts and analyzed by TCEQ for Atrazine and Metolachlor in FY 2004. There were 83 detections of pesticide with no exceedances of the MCL. TCEQ staff collected 55 well samples at affected Public Water System sites with pesticide detects at 45 wells. Two monitor wells at the Hale County Airport exceeded the MCL for both atrazine and pentachlorophenol.

The Subcommittee discussed and adopted a Groundwater Pesticide Monitoring Plan for FY 2005 continuing cooperative monitoring with TWDB and groundwater districts for aquifer areas with little pesticide data and continuing TCEQ sampling at pesticide-affected Public Water System sites.

The Subcommittee heard announcements and there were no public comments.

Data Management - Lynne Fahlquist, USGS. The Data Management Subcommittee did not meet during the past quarter. The review of the revisions to the ambient groundwater monitoring strategy report are being addressed and the report will be delivered soon.

Public Education and Outreach - Bruce Lesikar, TCE, Chair. No meeting was held this last quarter. The subcommittee is still working on revisions to the Land-owner's Guide to Plugging Abandoned Wells.

Dr. Lesikar spoke about several abandoned well closure demonstrations: one in Comanche County in September, 2004 and one in Webb County in October, 2004. Other abandoned well closures are scheduled for FY 2005 (Bell County, January and February and Nacogdoches County in June).

On-site waste water fact sheets are being revised. One is Selecting and Permitting for On-site Waste Water Treatment Systems and Liquid Bleach Chlorination. A fact sheet is being studied for graywater rules which are up for adoption in December.

It was noted that there will be an agent training in San Angelo, May 9 and 10, 2005. The training will focus on radionuclides and other issues in the west Texas.

Groundwater Research - Bridget Scanlon, BEG, Co-Chair. The Groundwater Research Subcommittee met twice this quarter. The first meeting was dedicated to developing different research ideas and write-ups for the legislature. The second meeting, held this morning, was to discuss the different write-ups and how they would be grouped. Topics of discussion were data collection in support of the GAM program, expanded funding of groundwater sampling, research involving disposal of desalination reject water in saline aquifers, and research on sources of elevated levels of nitrate in groundwater of Texas.

Nonpoint Source Task Force - Kevin Wagner, TSSWCB, chair. The NPS Task Force met on September 30, 2004. The status of the Nonpoint Source Management Plan was discussed. The FY2005 319 grant was also discussed. TSSWCB issued a request for proposals on October 4, 2004 for the 319 grant which are due November 26, 2004. TCEQ will have a stake holder meeting on November 18, 2004, and release requests for proposals. There were no questions from the committee members.

Ms. Ambrose, chair, pointed out that there would be no speaker because of the discussion of the Report to the 79th Legislature.

III. Business - Discussion & Possible Action

TGPC Report to the 79th Legislature, 2005 - Discussion of Report Text - Steve Musick, TCEQ. A Table of Contents of the *Report to the 79th Legislature -Activities of the Texas Groundwater Protection Committee* was included as a handout to the Committee. The report is being worked on, but a draft is not ready to present to the committee. The Table of Contents were presented and approved at the last meeting pending a few changes. Those changes have been incorporated into the Table of Contents presented here today. Pending recommendations that will be discussed today and the name change of the TDH to Department of State Health Services. Copies of the

description of each agency represented on the Committee were sent to the respective agencies for review and comment, some comments have been received. Highlights from the text were summarized. For the ground protection activities of 2003 through 2004, meetings will be summarized and actions that the Subcommittees had on previous legislative recommendations. The two new subcommittees will be included, these are the Public Education and Outreach Subcommittee and the Groundwater Research Subcommittee. Another new item for this report is the rules the Committee adopted based on the requirements of House Bill 3030 regarding notification of groundwater contamination. The annual joint report will be updated for the most recent versio (calendar year 2003). The state management plan for pesticides and groundwater has not changed. There will be a discussion of the implementation strategy recommendations in the groundwater protection strategy section.

Deadline for agency updates, comments, and recommendations is Thursday, October 29, 2004.

TGPC Report to the 79th Legislature, 2005 - Discussion and Approval of Legislative Recommendations - Legislative recommendations were assigned numbers for ease of discussion. A brief summary by the author of each recommendation was followed by a discussion and a vote on the recommendation.

1. Continue Funding of the State Brush Control Program-Kevin Wagner, TSSWCB. Benefit to groundwater in that removal of water-consuming brush cuts down on groundwater waste. This recommendation is requesting 12 million dollars from the legislature. A brief discussion followed.
Mary Ambrose, chair, moved to accept as is.
Lee Parham, TDLR seconded the motion.
Vote: unanimous to accept.
2. On-Farm Agricultural BMP Incentives through Creation of a Water Conservation Plan Program-Kevin Wagner, TSSWCB. This recommendation was designed to help irrigation farmers to develop a water conservation plan that would reduce the amount of groundwater withdrawals and increase irrigation efficiencies. Farmers in need of such a plan are located over the Ogalalla and Edwards aquifers and in the Valley. There was a discussion on how best to present the recommendation.
Allan Jones, TAES, moved to accept with minor changes.
Ken Ofunrein, DSHS, seconded the motion.
Vote: unanimous to accept with changes.
3. Groundwater Availability Model (GAM) Funding-Janie Hopkins, TWDB. Essentially no change from the previous legislative report with the substitution of minor aquifers for major aquifers. There was some discussion of combining recommendations 3,4, and 5. Barry Miller, TAGD, was not in favor of this and made a motion to consider each recommendation separately. Mary Ambrose, Chair, seconded the motions and a brief discussion followed. The vote was

unanimous to keep them separate.

Barry Miller, TAGD, moved to accept recommendation #3 with the inclusion of the exceptional item request.

Allan Jones, TAES, seconded.

Vote: unanimous to accept with changes.

4. Data Collection to Support Groundwater Availability Modeling Program-Bridget Scanlon, BEG. This item calls for \$0.5 to 1.0 million per year to help fund additional groundwater sampling to support the GAMs. There was a discussion of cost and cost presentation. The TWDB would like to rewrite this proposal to clarify terms and conditions.

Barry Miller, TAGD, moved to accept the concept of the recommendation with minor revisions by Bridget Scanlon, BEG, and Janie Hopkins, TWDB, to include a range of costs of \$1 to 2 million per biennium.

Second: Lee Parham, TDLR.

Vote: Unanimous “aye”.

5. Expanded Funding for Groundwater Sampling-Janie Hopkins. TWDB. Existing budget is \$384,000, the recommendation would bring it to \$800,000.

Mary Ambrose, Chair, made a motion to accept the recommendation with cost added.

Second: Bridget Scanlon, BEG.

Discussion: Leslie Savage. RCT, suggested that the title be expanded to indicate why the money is being requested.

Vote: Unanimous “aye”.

6. Abandoned Water Well Plugging Fund-Lee Parham, TDLR. Would provide incentives for land owners to plug abandoned and/or deteriorated wells and the TDLR would administer the program. There are approximately 150,000 abandoned wells in Texas.

Jim O’Connor, SAWS, summarized an abandoned well plugging program that was funded with a 319(h) grant in the San Antonio area. Their program was well received and prompted other entities to plug abandoned wells.

The consensus of the Committee was that this recommendation needed a major rewrite, although the concept was sound. It was concluded that Lee Parham, TDLR, Leslie Savage, RCT, Frank Fuller, TCEQ, Barry Miller, TAGD, and Mary Ambrose, Chair, would rewrite this recommendation.

Leslie Savage, RCT, moved to accept the concept.

Second: Lee Parham, TDLR.

Vote: Unanimous “aye”.

7. Research on the Disposal of Desalination Reject Water to Saline Aquifers and Depleted Oil and Gas Reservoirs-Allan Jones, TAES.

8. Groundwater Quality Education Programs-Allan Jones, TAES.
9. Community Assistance on Alternative Water Supplies-Allan Jones, TAES.
10. Research on Sources of Elevated Nitrate Concentrations in Texas Groundwater-Bridget Scanlon, BEG.
11. Conversion of State Water Well Reports to Electronic Format/Database-Mary Ambrose, Chair.

Texas Groundwater Protection Strategy - Discuss Strategy Implementation Issues - Frank Fuller, TCEQ. Implementation is ongoing with the efforts of the subcommittees.

Set Future Meeting Dates

Next meeting: October 21, 2004, 1:30 p.m., room #2210, building F, TCEQ Campus.

IV. Information Exchange for Groundwater Related Activities/Status Update

Status - Water Quality Inventory (“305(b)”) Report -2004. Cary Betz, TCEQ.

The state’s biennial Water Quality Inventory or 305(b) report continues as a work in progress. Presently, late October is the tentative date for the completion of this report. TCEQ staff is working on the groundwater portion of this report, and instead of presenting the overall water quality of the state’s major and minor aquifers, the revised groundwater portion will highlight those areas of the state where constituents of concern are present in the aquifer in concentrations near or above the MCL for drinking water. In addition to the TWDB’s ambient water quality monitoring data, staff will include water quality monitoring from the TCEQ’s public drinking water program. The report will feature enhanced GIS-based graphics.

Status - State NPS Management Plan Development - Kevin Wagner, TSSWCB.

Funding for the state’s NPS Management Plan will expire soon. Work continues on the Plan, toward submission in January, 2005. Comments from EPA and previous stakeholders’ meetings are being addressed. The next stakeholders’ meeting is tentatively planned for mid to late November.

Regional Water Planning Update - Texas Water Development Board. Janie Hopkins, TWDB. The TWDB is in the process of evaluating regional water supplies.

Groundwater Availability Modeling Update - Texas Water Development Board.

Janie Hopkins, TWDB. All ten of the GAMs are on schedule to be sent to their respective/interested GCDs, RWPGs, and river authorities before the October 1, 2004, due date. Some of them are being revised by the TWDB and the rest by consultants.

Status - *Joint Groundwater Monitoring and Contamination Report - 2003* - Cary Betz, TCEQ. The *Joint Groundwater Monitoring and Contamination Report - 2003* went to in-house review last week and the deadline ended yesterday, August 18, 2004. The Report is scheduled to go to the print shop next Monday, August 23, 2004.

V. Announcements (All Members)

Rules Update - A summary of the TCEQ rule tracking log was distributed to members. There are nine rules summarized in the tracking log that bear interest to the Committee. Questions concerning a specific rule should be directed to the Project Manager listed beside the rule.

Lee Parham, TDLR. The Texas Department of Licensing and Regulation adopts amendments to existing rules at 16 Texas Administrative Code (TAC), concerning the water well drillers and water well pump installers program. Administrative fees and licensing fees were revised to be effective October 1, 2004.

New Publications

There were no new publications announced.

Upcoming Conferences

Texas Water Law Institute Nov 3-5, 2004, Austin, Tx

1. Texas Groundwater 2004: Towards Sustainability, Nov. 18-19, 2004, Austin, Tx

High Plains Groundwater Resources: Challenges and Opportunities Dec. 7-9, 2004, Lubbock, Tx

I will leave the list of highlighted publications on your desk.

VI. Public Comment

EPA Region VI - 14th Annual Quality Assurance Conference - October 18-22, 2004, Dallas, Texas

VII. Adjourn

Chair, Mary Ambrose, adjourned the meeting at approximately 3:02 P. M., CDT.